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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION TWO

THE PEOPLE,

Plaintiff and Respondent,

v.

LEONARD ESTRADA,

Defendant and Appellant.

E072015

(Super.Ct.No. RIF1880161)

OPINION

APPEAL from the Superior Court of Riverside County. L. Jackson Lucky IV,
Judge. Affirmed.

Mark D. Johnson, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

FACTUAL AND PROCEDURAL HISTORY

A. PROCEDURAL HISTORY

On July 31, 2018, an amended information charged defendant and appellant Leonard Estrada with (1) committing a lewd act on B.H., in violation of Penal Code¹ section 288, subdivision (a) (counts 1, 2); (2) engaging in an act of intercourse or sodomy with E.V., a child 10 years of age or younger, in violation of section 288.7, subdivision (a) (counts 3-12); (3) engaging in an act of oral copulation or sexual penetration with E.V., a child 10 years of age or younger, in violation of section 288.7, subdivision (b) (count 13); (4) engaging in a lewd act with L.V., in violation of section 288, subdivision (a) (counts 14, 15); and (5) annoying or molesting M.E., in violation of section 647.6, subdivision (a) (counts 16, 17). The information alleged that defendant previously had been convicted of forcible rape in violation of section 261, subdivision (a)(2), for purposes of sections 667.61, subdivision (d)(1), 667, subdivision (a), and the “Three Strikes” law. The information also alleged that the offenses in this case involved multiple victims for purposes of section 667.61, subdivision (e)(1); that defendant had suffered a prior prison term for purposes of section 667.5, subdivision (b); and that defendant was a habitual sexual offender for purposes of section 667.71.

On November 7, 2018, the trial court dismissed the misdemeanor allegations in counts 16 and 17 because they were time barred. The next day, the trial court granted an oral motion to amend the information to allege that defendant committed lewd acts on

¹ All statutory references are to the Penal Code unless otherwise specified.

B.H., E.V. and L.V. by force, menace, duress or fear, in violation of section 288, subdivision (b) (counts 17-19); and that defendant committed an act of oral copulation on M.H. by force, menace, duress or fear, in violation of section 288a, subdivision (c)(2)(a) (count 20). Thereafter, pursuant to a plea agreement, defendant pled guilty to counts 17 to 20.

On January 11, 2019, the trial court sentenced defendant to eight years for count 17, and to consecutive terms of eight years each for counts 18, 19 and 20. The court imposed fines and fees as required by law.

On January 18, 2019, defendant filed a timely notice of appeal “based on the sentence or other matters occurring after the plea that do not affect the validity of the plea.” Defendant did not request a certificate of probable cause be granted on his appeal.

B. FACTUAL HISTORY

Defendant admitted that he committed (1) lewd acts on three separate victims, B.H., E.V. and L.V., by force, menace, duress, or fear; and (2) an act of oral copulation on M.H. by force, menace, duress, or fear.

DISCUSSION

After defendant appealed, and upon his request, this court appointed counsel to represent him. On January 15, 2019, counsel filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 setting forth a statement of the case, a summary of the facts, and potential arguable issues, and requesting this court to undertake a review of the entire record. We offered defendant an opportunity to file a personal supplemental brief, but he has not done so. Pursuant to the

mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have independently reviewed the record for potential error and find no error.

DISPOSITION

The judgment is affirmed.

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MILLER

Acting P. J.

We concur:

FIELDS

J.

RAPHAEL

J.